



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

October 19, 2017

BY ECF

The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Joseph Percoco, et al.*, S2 16 Cr. 776 (VEC)

Dear Judge Caproni:

The Government respectfully writes in response to the Court's April 10, 2017 Order requiring the Government to update the Court monthly with regard to the status of discovery.

As we described in our last discovery status letter dated September 15, 2017 and other prior letters, certain documents from seven custodians were initially withheld from production as potentially privileged. Today, the Government made available approximately 6,679 pages of documents, all of which were released by counsel for a third-party custodian after initially having been withheld. At this time, all withheld documents from six of the seven custodians have been reviewed by the custodian's respective counsel and either produced to the defendants or included on privilege logs which have been produced to the defendants. One final third-party custodian continues to work on completing its review. As we have done in the past, the Government will promptly produce the documents and/or log that we receive from the final custodian.

The Government does not have any additional productions pending at the present time. However, the Government will process and produce promptly additional documents it may obtain in the course of its investigation.

Respectfully submitted,

JOON H. KIM
Acting United States Attorney

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cc: Counsel for all defendants (via ECF)